
BZA-1894
CAREY BRYCE & REBECCA PRUETT
Variance

STAFF REPORT
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioners, who are the owners and represented by Joseph Bumbleburg of Ball Eggleston, are requesting a variance to permit a side setback of 1.5' instead of the required 6' for a proposed porte-cochere addition onto a single family home in West Lafayette. The property is located at 1504 Marilyn Avenue, Wabash 18 (NW) 23-4. (UZO 4-2-2)

AREA ZONING PATTERNS:

The property is zoned single family residential (R1); all land surrounding is also zoned R1.

A variance was approved in for 2008 a 1' side setback to add a carport to home on Sunset Lane with an existing one car garage (BZA-1766). The carport was never built because the homeowners could not get approval from the utility companies to build in their easement.

More recently, a variance for a 5' side setback instead of the required 6' was approved in 2012 (BZA-1858). This request was to legitimize and remodel the existing home located on Ridgewood Drive.

AREA LAND USE PATTERNS:

A single family Cape-Cod style home built in 1938 with a detached two-car garage is located on the site.

This area of West Lafayette is dominated by single family homes located on narrower lots with large setbacks, resulting from the gently rolling terrain.

TRAFFIC AND TRANSPORTATION:

Two parking spaces located outside of the front setback are required for a single-family home. There are two spaces in the detached garage located at the rear of this property and plenty of space in the driveway for additional parking if needed.

STAFF COMMENTS:

Homes were built in this part of West Lafayette in the 30s and 40s, when the two-(or more) car family was not the norm. As such, many of these homes were built with one car garages or with none at all. Several variance requests have come before the BZA to construct an additional garage bay, add a carport, or build a new garage in this area.

This home has an existing detached two car garage with ample room in the driveway between the home and the garage to park additional cars. Petitioners also have several options other than a variance if more under-cover parking is desired: there is room on the

lot to construct a third bay to the existing garage; though it would required relocating part of the existing deck, petitioners could add a covered space behind the home; or a more traditional carport could be built at another location in the back of the house.

With all the solutions that do not require a variance, there is simply no compelling reason to add a porte-cochere onto this home only 1.5' from the property line. While staff can appreciate aesthetics and cost concerns, neither can be considered a hardship.

Regarding the ballot items:

1. The Area Plan Commission at its October 16, 2013 meeting determined that the variance requested **IS NOT** a use variance.

And it is staff's opinion that:

2. Granting this variance **WILL NOT** be injurious to the public health, safety, and general welfare of the community. There is nothing about the placement of the proposed addition that would have a negative affect on the community.
3. Though the proposed addition won't have walls like a traditional garage, with a 1.5' setback, there is simply no room to maintain petitioner's property without trespassing onto the adjoining property. Therefore, use and value of the area adjacent to the property included in the variance request **WILL** be affected in a substantially adverse manner.
4. The terms of the zoning ordinance are being applied to a situation that **IS** common to other properties in the same zoning district. Compared to the other properties in the vicinity, there is nothing unusual about this lot. In fact, this property has the advantage of an existing detached two car garage.
5. Because petitioners already have both required parking spaces on site and under roof, strict application of the terms of the zoning ordinance **WILL NOT** result in an unusual or unnecessary hardship as defined in the zoning ordinance.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved **IS** self-imposed. Petitioners already have the required two parking spaces out of the front setback and under roof; in fact, there is ample room between the house and the garage to park additional vehicles or add onto the garage. It is only their desire to build a porte-cochere in this location that is prompting this request.

5b. Because there is no hardship, the variance requested **DOES NOT** provide only the minimum relief.

STAFF RECOMMENDATION:

Denial